

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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2018 JUL 13 P 3:33

Nelson L Bruce,

Plaintiff,

v.

CARRINGTON MORTGAGE SERVICES, LLC,

Defendants.

Civil Action No.: 2:17-cv-02171-BHH-MGB

**PLAINTIFF'S NOTICE TO THE COURT REGARDING HIS MOTION FOR
EXTENSION OF TIME TO FILE EXPERT WITNESSES DISCLOSURES
AND MOTION/NOTICE TO ISSUE SUBPOENAS**

Plaintiff hereby presents this notice to Honorable Judge Bruce Howe Hendricks regarding an order to issue subpoenas to the parties referenced below as they are being uncooperative with the Plaintiff's discovery requests which they have knowledge of certain events, information and documentation relevant to this matter in regards to claims and defenses raised by the Defendant which lead to the Defendants violations of law. The motion filed on 5/11/2018 by the Plaintiff included this notice of Subpoenas. As the discovery period ends August 15, 2018 Plaintiff is running out of time to get the next steps of his discovery completed to avoid having to request for another extensions of time to complete discovery. The Plaintiff has given the Defendant 10 additional days between the 28th - 29th of June, 2018 to properly respond to Plaintiff's Interrogatories for which they have ignored and are willfully withholding pertinent information, tampering with evidence by modifying pdf documents that have been scanned and sent to the Plaintiff on a Disc, and have redacted documents which are evidence relevant to this matter (See Exhibits – D). This motion has

sat on the record without a response from the court for over a month now further limiting the Plaintiff's discovery time and time to inspect any discovery items that maybe produced as the Plaintiff is not able to move forward and is running out of time to conduct discovery as the parties are not being cooperative.

The Plaintiff is exercising his due process rights to discovery and to issue Subpoena's to parties and nonparties which is now his last option to get documentation to prove certain facts as to support any and all alleged claims of lawful interest in any alleged lawful loans, allegations, and defenses that have been brought up or maybe brought forth in this case. The parties referenced below have willfully ignored, are not properly responding to, failed to respond to requests, and/or is currently not following their own guidelines related to the Freedom of Information Act (FOIA) when requests are made or discovery requests. Defendant is claiming that they are the servicers of a valid lawful loan through an assignment, power of attorney or otherwise which is allegedly still in default, the parties being subpoenaed have pertinent information and documentation relevant to support any alleged lawful claims, allegations, and defenses by the Defendant since the initiation of the alleged loan which would prove the facts of any allegations, defense and claims and these parties are relevant because they were involved at some point in the transaction with the alleged loan/mortgage and would have firsthand knowledge of certain facts and documentation that validate certain facts that are the subject of any allegations, claims, and defenses. The Defendant allegedly only became a party to the alleged mortgage in 2017 and judging by responses from the Defendant in previous correspondences for which they have defaulted on do not have firsthand knowledge, facts nor documentation that proves the alleged debt they have been attempting to collect is lawful nor still valid nor that a lawful loan was given to the Plaintiff.

Without the requested discovery, the Plaintiff is being limited due process in violation of his rights under the constitution to defend and gather facts relevant to this matter to any defenses, allegations and claims that have been and maybe brought forth. I must hereby object to any and all alleged claims, alleged documents relating to any claims by the Defendant and their Attorney in regards to their alleged claims of interest, their allegations and defenses for which the Plaintiff's due process rights have been limited which I have a right to and the Plaintiff hereby incorporates this objection and this Presentment by reference in this matter.

There are a few parties that have been added including government entities that are engaging in commerce and due to their failure to properly respond to Plaintiff's requests that are governed by law, under FOIA and by their own policies related to FOIA. Included in this notice are copies of the Subpoena's and discovery items to be issued to the parties referenced below.

PARTIES TO BE SUBPOENAED

- 1) Mark A. Turner – CEO of WILMINGTON SAVINGS FUND SOCIETY, FSB (WSFS)
- 2) Elizabeth Ostermann – Vice President, Default, SCRA, Carrington Mortgage Services, LLC
(Not properly responding, redacting and not disclosing relevant information or documentation in their responses to the Plaintiff which are relevant to the defenses, allegations and claims in this matter.)
- 3) Michael Drayne – SVP - Office of Issuer & Portfolio Management for Government National Mortgage Association (Ginnie Mae)
- 4) Bill Beckmann – CEO of Mortgage Electronics Registration Systems, Inc. (MERS)
- 5) Paul M. Donofrio – Chief Financial Officer of Bank of America and Bank of America, N.A.

- 6) Paul M. Donofrio – Chief Financial Officer of Bank of America and Bank of America Corporation.
- 7) Sandra Wright– SVP - HUD U.S. Department of Housing & Urban Development (HUD).
- 8) Jeanne M. McLaughlin - Manager, Freedom of Information Office for the “Board of Governors of the Federal Reserve System” (Federal Reserve).

Respectfully Presented,

“Without Prejudice”

 7-13-2018

Nelson L. Bruce, Propria Persona, Sui Juris
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